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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JOSHUA BOYD,
Defendant.

CASE NO: 2:21-cr-00231-RFB-DJA

**STIPULATION TO CONTINUE
SENTENCING**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by JOSHUA BOYD, by and through his attorney, CHRISTOPHER R. ORAM, ESQ., and the United States of America, by and through JESSICA OLIVA, ESQ., Assistant United States Attorney, that the sentencing hearing scheduled for December 2, 2021, be continued for a period of two (2) weeks, to a date and time convenient to this Honorable Court.

The request for a continuance is based upon the following:

1. Counsel for Defendant Boyd has been defending a capital murder trial in *State of Nevada v. Contrayer Zone*, Case No. C-16-316686-2, since September 27, 2021. The trial is still ongoing.
2. Due to Counsel for Defendant Boyd being unavailable due to the capital murder trial, Counsel has been unable to meet with the United States Probation Officer and Mr. Boyd to conduct the Presentence Investigation Report ("PSR") interview.

1 3. The parties have agreed to continue the sentencing by a period of two (2)
2 weeks to allow Counsel for Defendant Boyd to complete the capital murder
3 trial and to attend the PSR interview with Mr. Boyd. Continuing the
4 sentencing hearing is necessary to allow the U.S. Probation Officer ample
5 time to complete the PSR in a timely fashion prior to sentencing.

6 4. The Government has no objection to the continuance.

7 5. Mr. Boyd is out of custody, and he does not object to the continuance.

8 6. The additional time requested herein is not sought for purposes of delay.

9 7. Additionally, denial of this request for continuance could result in a
10 miscarriage of justice.

11 DATED: October 19, 2021

12 Respectfully submitted,

13 /s/ Christopher R. Oram

14 Christopher R. Oram, Esq.
15 520 S. Fourth Street, Second Floor
16 Las Vegas, Nevada 89101
17 Attorney for Joshua Boyd

18 /s/ Jessica Oliva

19 Jessica Oliva, Esq.
20 Assistant United States Attorney
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23 Attorney for the United States of America

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
* * *

UNITED STATES OF AMERICA,
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ORDER

(First Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Counsel for Defendant Boyd has been defending a capital murder trial in *State of Nevada v. Contrayer Zone*, Case No. C-16-316686-2, since September 27, 2021. The trial is still ongoing.
2. Due to Counsel for Defendant Boyd being unavailable due to the capital murder trial, Counsel has been unable to meet with the United States Probation Officer and Mr. Boyd to conduct the Presentence Investigation Report ("PSR") interview.
3. The parties have agreed to continue the sentencing by a period of two (2) weeks to allow Counsel for Defendant Boyd to complete the capital murder trial and to attend the PSR interview with Mr. Boyd. Continuing the sentencing hearing is necessary to allow the U.S. Probation Officer ample time to complete the PSR in a timely fashion prior to sentencing.

4. The Government has no objection to the continuance.
5. Mr. Boyd is out of custody, and he does not object to the continuance.
6. The additional time requested herein is not sought for purposes of delay.
7. Additionally, denial of this request for continuance could result in a miscarriage of justice.

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare for the sentencing hearing effectively and thoroughly, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for December 2, 2021, at the hour of 11:00 a.m. be vacated and continued to the 17th day of December, 2021, at the hour of 9:00 AM by videoconference.

DATED AND DONE this 28th day of October, 2021.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE